

House File 59 - Introduced

HOUSE FILE 59

BY ISENHART

A BILL FOR

1 An Act providing for the adoption and implementation of
2 complete streets policies applicable to certain highway
3 projects.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 306E.1 Short title.

2 This chapter shall be known and may be cited as the "Iowa
3 *Complete Streets Act*".

4 Sec. 2. NEW SECTION. 306E.2 Definitions.

5 As used in this chapter, unless the context otherwise
6 requires:

7 1. "Agency" means the department, a regional or metropolitan
8 planning commission formed pursuant to chapter 28I, a county,
9 or a city.

10 2. "Complete street" means a roadway that accommodates all
11 users of the road including motorists, public transit users,
12 bicyclists, and pedestrians of all ages and abilities.

13 3. "Complete streets policy" means a resolution, ordinance,
14 statute, administrative rule, or statement of policy relating
15 to roads at the state, regional, or local level that ensures,
16 in all phases of highway project planning and development,
17 the adequate accommodation of all users of the road including
18 motorists, public transit users, bicyclists, and pedestrians of
19 all ages and abilities.

20 4. "Department" means the state department of
21 transportation.

22 5. "Director" means the director of transportation.

23 6. "Highway project" includes the planning, design, funding,
24 construction, reconstruction, resurfacing, maintenance, or
25 retrofitting of a highway or roadway.

26 Sec. 3. NEW SECTION. 306E.3 Complete streets policy —
27 intent.

28 1. It is the intent of the general assembly that on or
29 before October 1, 2013, every agency having jurisdiction over
30 roads in the state or involved in planning for roads shall
31 develop and adopt a complete streets policy.

32 a. The policy of the department shall explicitly state
33 that all highway projects on primary roads shall ensure, in
34 all phases of project planning and development, the adequate
35 accommodation, safety, and convenience of all users of the road

1 in accordance with complete streets principles.

2 *b.* The policy of an agency other than the state shall
3 explicitly state that, beginning on the effective date of
4 the policy, all highway projects on roads under the agency's
5 jurisdiction in urban areas or within one mile of the corporate
6 limits of a city shall ensure, in all phases of project
7 planning and development, the adequate accommodation, safety,
8 and convenience of all users of the road in accordance with
9 complete streets principles.

10 2. A complete streets policy shall delineate a clear
11 procedure by which an agency may exempt a highway project from
12 the requirements of a policy adopted under subsection 1 for any
13 of the following reasons:

14 *a.* The project is on a road where nonmotorized travel is
15 prohibited by law.

16 *b.* The cost to achieve compliance with complete streets
17 policy would be excessively disproportionate to the need for or
18 probable use of the particular road as a complete street.

19 *c.* The director or the governing body recognizes that due
20 to very low population density or remote location, there is
21 an absence of present or future need for the development of a
22 complete street.

23 *d.* The purposes of the agency's complete streets policy
24 are adequately met by a network of complete streets already in
25 place in proximity to the road on which the highway project
26 will take place, provided that the existing network includes a
27 route for all users of the road that reasonably substitutes for
28 the route followed by the exempt road.

29 **Sec. 4. NEW SECTION. 306E.4 Research, technical guidance,**
30 **and implementation assistance.**

31 1. The department shall conduct ongoing research regarding
32 complete streets to assist regional and metropolitan planning
33 commissions, counties, and cities to develop, adopt, and
34 implement complete streets policies. On or before October 1,
35 2012, the director shall prepare and make available to all

1 regional and metropolitan planning commissions, counties, and
2 cities a report that describes the best practices by which
3 transportation agencies throughout the United States have
4 implemented complete streets principles. The director shall
5 update the report periodically as new, relevant information
6 becomes available, as determined by the department.

7 2. The department shall provide guidance to regional
8 or metropolitan planning commissions, counties, and cities
9 requesting assistance with the development or implementation
10 of a complete streets policy or the incorporation of complete
11 streets principles in community development and transportation
12 planning and highway projects.

13 Sec. 5. NEW SECTION. 306E.5 Complete streets fund.

14 A complete streets fund is created in the state treasury
15 under the control of the department. The fund shall consist of
16 any moneys appropriated by the general assembly and any other
17 moneys available to and obtained or accepted by the department
18 from the federal government or private sources for placement in
19 the fund. Section 8.33 does not apply to moneys in the fund.
20 Notwithstanding section 12C.7, interest or earnings on moneys
21 in the fund shall be credited to the fund. Moneys deposited
22 in the fund are appropriated to the department to be used to
23 facilitate complete streets projects on secondary roads and
24 municipal streets throughout the state.

25 EXPLANATION

26 This bill provides a mechanism for the implementation of
27 "complete streets" principles in highway projects undertaken
28 on Iowa roads.

29 The bill defines "complete street" as a roadway that
30 accommodates all users of the road including motorists, public
31 transit users, bicyclists, and pedestrians of all ages and
32 abilities.

33 The bill expresses the general assembly's intent that every
34 agency having jurisdiction over roads or involved in planning
35 for roads shall develop and adopt a complete streets policy

1 on or before October 1, 2013. Affected agencies include
2 the department of transportation, regional and metropolitan
3 planning commissions, counties, and cities. The complete
4 streets policy for the state shall apply to all highway
5 projects on primary roads, and the policies of other agencies
6 shall focus on roads in urban areas or within one mile of the
7 corporate limits of a city. All complete streets policies
8 shall contain a procedure by which an agency may exempt a
9 highway project from the agency's complete streets policy for
10 specific reasons stated in the bill.

11 The department of transportation is directed to provide
12 guidance to local agencies and conduct ongoing research
13 regarding complete streets to assist agencies formulating
14 complete streets policies. The director of transportation
15 is required to issue by October 1, 2012, and periodically
16 update, a report describing best practices of transportation
17 agencies in other states that have implemented complete streets
18 principles.

19 The bill creates a complete streets fund for deposit of
20 any federal, state, or private moneys available for purposes
21 of complete streets. Moneys deposited in the fund are
22 appropriated to the department of transportation to be used to
23 facilitate complete streets projects on secondary roads and
24 municipal streets.